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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WALTER W. GARCIA-SERRANO,  
ANNA M. STESIK-GARCIA, CIPRIAN  
VERES-POP, JOSE M. MERINO, and WALTER  
FLORES on behalf of themselves and on behalf of  
all others similarly situated

Docket No.: 09-CV-5467(LAK)

Plaintiffs,

-against-

REPLY DECLARATION OF  
ANNA STESIK-GARCIA

33 WEST 54<sup>TH</sup> STREET LLC, FRANCESCO  
SORRENTINO a/k/a GIANFRANCO  
SORRENTINO, and PAULA BOLLA SORRENTINO  
and MARIO COPPOLA

Defendants.

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ANNA STESIK-GARCIA hereby declares the following under the penalty of perjury:

1. I am one of the named Plaintiffs in this action, and I make this reply declaration in support of Plaintiffs' cross-motion for collective action certification under the Fair Labor Standards Act, 29 U.S.C. §216(b) and to certify the class under Fed.R.Civ.P.23(b). I am fully familiar with the facts and circumstances as set forth in this declaration.

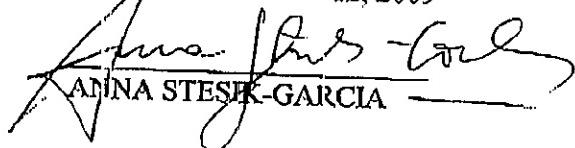
2. Although I brought a retaliation claim against Defendants on August 17, 2009 for adverse work conditions, I remain employed by Defendants at this time.

3. I have been advised that Defendants submitted an affidavit by Luigi Cozzilino,

who has worked for Defendants as a waiter since approximately April of this year. I wish to bring to the Court's attention that, despite his short tenure working for Defendants, shortly after Defendants filed their opposition they promoted Mr. Cozzilino to manager.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief, and I am aware that if any of the foregoing is materially false, I may be subject to criminal penalties.

Executed on October 12, 2009



ANNA STESIK-GARCIA